

GRETCHEN WHITMER

STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

ORLENE HAWKS DIRECTOR

MICHIGAN BOARD OF COSMETOLOGY NOVEMBER 7, 2022, MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Cosmetology met on November 7, 2022, at 611 West Ottawa Street, Upper-Level Conference Room 3, Lansing, Michigan 48933.

CALL TO ORDER

Cindy Straley, Professional Member, Chairperson, called the meeting to order at 10:03 a.m.

ROLL CALL

Members Present: Cindy Straley, Professional Member, Chairperson

Teri Baranski, Professional Member Jaclyn Turner, Professional Member Dawnette Wessel, Professional Member Victoria Williams, Professional Member

Members Absent: Fletcher Bland, Public Member

Vanessa Cartwright, Public Member

Staff Present: Laury Brown, Senior Analyst, Compliance Section

Kimmy Catlin, Board Support, Boards and Committees Section

Dena Marks, JD, Departmental Specialist, Boards and Committees

Section

Michele Wagner-Gutkowski, Assistant Attorney General

Brian Hoot, Analyst, MAPS Section

APPROVAL OF AGENDA

MOTION by Baranski, seconded by Williams, to approve the amended agenda as presented.

A voice vote was held.

MOTION PREVAILED

Michigan Board of Cosmetology November 7, 2022 Page 2 of 7

APPROVAL OF MINUTES

MOTION by Baranski, seconded by Williams, to approve the August 1, 2022, meeting minutes as written.

A voice vote was held.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Petition for Reinstatement

Tu Cam Hoang

MOTION by Baranski, seconded by Williams, to discuss the matter.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Williams, seconded by Baranski, to reinstate the license.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Nays: None

MOTION PREVAILED

Kent Phan

MOTION by Williams, seconded by Baranski, to discuss the matter.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Williams, seconded by Baranski, to reinstate the license.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Nays: None

MOTION PREVAILED

Michigan Board of Cosmetology November 7, 2022 Page 3 of 7

Hearing Reports

MOTION by Baranski, seconded by Williams, to receive the hearing reports.

A voice vote was taken.

MOTION PREVAILED

Anthonio Cuevas and Tono's Barberstyle

MOTION by Turner, seconded by Baranski, to discuss the matter.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Turner, seconded by Wessel, to place the Respondents on probation for one year with two random inspections and no violations of the Occupational Code. Respondents are fined \$2,250.00, jointly and severely, to be paid within six months or the licenses will be suspended.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Nays: None

MOTION PREVAILED

ET Nails and Quang Le

MOTION by Turner, seconded by Baranski, to discuss the matter.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Turner, seconded by Baranski, to place the Respondents on probation for one year with two random inspections and no violations of the Occupational Code. Respondents are fined \$10,000.00, jointly and severely, to be paid within 90 days or the licenses will be suspended.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Nays: None

MOTION PREVAILED

Consent Orders and Stipulations

MOTION by Baranski, seconded by Williams, to accept the following Consent Orders and Stipulations:

Almond Nail Spa Lounge LLC & Kim Dang Huynh
Beyond Tangled & Natasha Marie Hillman
D'Bugotti Salon LLC & Marla Williams
LA Nails II & Loan Thi Hong Nottke
Make-N-Waves & Belinda Robbins
Mane Street Cuts LLC & Lisa Kay Berkshire
New Reflections Too & Shelly Jordan
Northville Nail Boutique & Youth Brach
Tuan Pham
Platinum Nails & Linh Phuong Nguyen
US Nails & Vicky Giao Vu

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Navs: None

MOTION PREVAILED

Triangle Nails & An Hoang Le

MOTION by Williams, seconded by Baranski, to discuss.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Baranski, seconded by Williams, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Nays: None

MOTION PREVAILED

MOTION by Williams, seconded by Turner, to accept the following Consent Orders and Stipulations:

Straley recused herself from the matters.

Michigan Board of Cosmetology November 7, 2022 Page 5 of 7

Vy Chu Kim's Nail & Spa LLC Danny Vo

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski

Nays: None

MOTION PREVAILED

OLD BUSINESS

None

NEW BUSINESS

Waiver Requests

Brenda Poyntz

MOTION by Baranski, seconded by Williams, to discuss the matter.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Baranski, seconded by Turner, to deny the waiver request.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Nays: None

MOTION PREVAILED

Kathleen Malberg

MOTION by Baranski, seconded by Williams, to discuss the matter.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Wessel, seconded by Turner, to grant the waiver request and waive both the practical and theory examination for the cosmetology license.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Michigan Board of Cosmetology November 7, 2022 Page 6 of 7

Nays: None

MOTION PREVAILED

Gigi DeFran

MOTION by Baranski, seconded by Williams, to discuss the matter.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Turner, seconded by Wessel, to grant the waiver request and waive both the practical and theory examination for the cosmetology license.

A roll call vote was held: Yeas: Turner, Wessel, Williams, Baranski, Straley

Nays: None

MOTION PREVAILED

Rules Update

Marks explained the promulgation process and timeline and stated that the draft rules will come to the next regularly scheduled meeting for review and a vote.

Chair Report

None

Department Update

Marks announced a change in the Open Meetings Act and board meetings will now be recorded starting in 2023.

Catlin reminded the board members to check their state e-mail address regularly.

PUBLIC COMMENT

David Dagenais requested information on satellite campuses.

Marks provided her contact information.

Katherine Pavlick expressed the concern with the rule clarification process.

Wagner-Gutkowski explained that the board and department are not able to provide legal advice.

Michigan Board of Cosmetology November 7, 2022 Page 7 of 7

Pavlick expressed concern that the current pass rate for the instructor's examination is 37%.

Marks stated that the department would ask PSI when the questions were last reviewed.

ANNOUNCEMENTS

The next regularly scheduled meeting will be held February 6, 2023, at 10:00 a.m. at 611 W. Ottawa Street, Upper-Level Conference Room 3, Lansing, Michigan 48933.

ADJOURNMENT

MOTION by Williams, seconded by Baranski, to adjourn the meeting at 11:29 a.m.

A voice vote was held.

MOTION PREVAILED

Minutes approved by the Board on February 6, 2023.

Prepared by: Kimmy Catlin, Board Support Bureau of Professional Licensing

November 7, 2022